



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

January 17, 1996

Mr. Richard D. Monroe
Deputy General Counsel
Texas Department of Transportation
Dewitt C. Greer State Highway Bldg.
125 E. 11th Street
Austin, Texas 78701-2483

OR96-0050

Dear Mr. Monroe:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 37419.

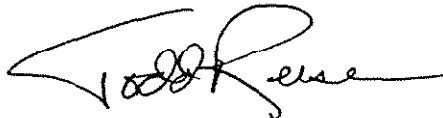
The Texas Department of Transportation ("TxDOT") received a request for, among other things, a listing of all complaints filed against the Austin District.¹ You claim that information identifying sexual harassment complainants is excepted from required public disclosure under section 552.101 of the Government Code. We agree. *See Morales v. Ellen*, 840 S.W.2d 519, 525 (Tex. App.--El Paso 1992, writ denied) (holding that names of witnesses and detailed affidavits regarding allegations of sexual harassment protected from disclosure under common-law privacy). Accordingly, TxDOT must withhold the information you highlighted and submitted for our consideration.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records.

¹As you make no argument concerning the other information requested, we assume this information has been released to the requestor.

If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink, appearing to read "Todd Reese". The signature is fluid and cursive, with the first name "Todd" written in a larger, more prominent script than the last name "Reese".

Todd Reese
Assistant Attorney General
Open Records Division

RTR/LBC/rho

Ref: ID# 37419

Enclosures: Submitted documents

cc: Mr. Timothy J. Cook
7049 Comanche Trail
Austin, Texas 78732
(w/o enclosures)